

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3678 OF 2004
WITH
CRIMINAL APPEAL NO.1031 OF 2004

Office notes, office Memoranda Court's or Judge's orders.
of Coram, appearance, Court's
orders or directions and
Registrar's orders.

Mr.P.S.Hingorani, APP. for the State.

Mr.J.B. Kocheta i/by C.I. Motagi for
the Respondent.

CORAM : R.S. MOHITE, J.
DATED : FEBRUARY 6, 2006.

P.C.

1. This is an application for
condonation of delay. After hearing
both the sides for the reasons which
are mentioned in the application,
application is allowed and delay of 11
days is condoned.

CRIMINAL APPEAL NO.1031/2004

1. This is an appeal filed by the
State impugning a judgment and order
passed by the J.M.F.C., Karjat, Dist.

Raigad acquitting the accused for an offence punishable under Section 379 read with 34 of the I.P.C. On perusal of the impugned judgment and order it is seen that the same is passed on cogent and acceptable reasons. The prosecution case was that one Government jeep attached to the Primary Health Centre was said to have been stolen by the accused on 11.10.2001 at 8.00p.m. According to the prosecution, it was the accused who stole the said jeep. The jeep is said to have been recovered at the instance of the present respondent. However, both the panchas did not support the recovery. The other two witnesses are the doctors i.e. P.W.No.1 Dr. Dinesh who was incharge of the said hospital and his wife. However, both of them have not named the accused. The view taken by the Trial Court is possible view. Hence, leave refused and consequently the appeal is rejected.

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(R. S. MOHITE, J.)